

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**NONA RICE,**

**Plaintiff,**

**v.**

**DON PECK'S TRANSPORTATION, LLC,**

**Defendant.**

**No. 08-0051-DRH**

**ORDER**

**HERNDON, Chief Judge:**

On November 12, 2009, Rice filed an Amended Complaint against Don Peck's Transportation, LLC (Doc. 41). On March 22, 2010, the Clerk of the Court issued a Notice of Impending Dismissal For Want Of Prosecution for failure to effectuate service on Defendant (Doc. 43). The Notice gave Rice up to and including April 15, 2010 to effect service. That same day, a summons was issued to Defendant (Doc. 44). On July 13, 2010, the Court entered a Show Cause Order directing Rice to explain in writing on or before July 27, 2010 why the Court should not dismiss her case for want of prosecution (Doc. 45). The Show Cause Order also warned Rice that the failure to respond would result in her case being dismissed. Rice failed to timely respond to the Show Cause Order. Thus, the Court **DISMISSES without prejudice** Rice's cause of action against Don Peck's Transportation, LLC for want of

prosecution. The Court will close the file.

**IT IS SO ORDERED.**

Signed this 29th day of July, 2010.

/s/ David R. Herndon

**Chief Judge  
United States District Court**